

REMARKS

The Examiner's indication that an oligopeptide consisting of the amino acid sequence selected from SEQ ID Nos. 1-13 is free of the prior art and that methods of treating and protecting against dental caries using such oligopeptides would be allowable has been noted with appreciation. The Examiner suggested that the claims be so limited and this has been done in the foregoing amendments. If broader claims are desired, they will be presented in a continuing application.

It is respectfully submitted that the claim rejections can be withdrawn in light of the foregoing amendments. For the record, however, it is respectfully submitted that the inclusion of claims 21-24 in the rejection under 35 USC § 112, second paragraph, appears to have been in error. As to claim 20, SEQ ID Nos. 2, 4, 5 and 13 contained the ProGly sequence but since claim 2 already covers SEQ ID No. 13, this claim has been directed to 2, 4 and 5 only.

In light of all of the foregoing, it is respectfully submitted that this application is now in condition to be allowed and the early issuance of a Notice of Allowance is respectfully requested.

Dated: February 8, 2005

Respectfully submitted,

By Edward A. Meilman
Edward A. Meilman

Registration No.: 24,735

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

1177 Avenue of the Americas
41st Floor

New York, New York 10036-2714
(212) 835-1400

Attorney for Applicant